

REMARKS

The application has been amended and is believed to be in condition for allowance.

Claims 1-63 were rejected as obvious over LANDSMAN et al. 6,785,659.

Claim 20 has been cancelled.

New claims 64-65 have been introduced, based on the prior independent claims, more specifically reciting the telephone use of the invention.

The invention, as more specifically recited in claim 64 is a network application decentralized execution system, with application to telephone calling. The system comprises i) an application server located on a public network; ii) a first terminal equipment (a telephone call calling party) and a second terminal equipment (the called party of the telephone call); and iii) network telephone applications hosted on the application server and available for download to the first and second terminal equipment.

Claim 64 recites a specific first of the telephone network applications being an automatic call back service application that, when downloaded from the application server and installed in the first terminal equipment, provides a service re-originating a telephone call from the calling party to the called party after an original telephone call to the called party results in receiving, at the calling party, a busy notification

from the called party signifying the called party is involved in another telephone conversation. The automatic call back service application is automatically started using a trigger activated in response to the calling party receiving, from the called party, an end-of-call notification that the another telephone conversion of the called party has ended.

The first terminal equipment, that implements this arrangement comprises:

i) a plug-in means for plugging in the automatic call back service application after selection and downloaded by the first terminal equipment from said application server,

ii) connection state variation detection means for detecting a variation of a connection state of the called party based on receipt of the end-of-call notification, and

iii) connection state control means for controlling the connection state of the calling party with the called party, the connection state control means being activated by the automatic call back service application responding to the trigger.

Claim 65 recites a network application decentralized execution system which allows application of a network application developed for a concentrated switched network to a decentralized switched network.

As to the applied art, there is no indication that the "ad agent" downloaded into a user's PC web browser is a network application developed for a concentrated switched network being

used in a decentralized switched network. At best, the LANDSMAN ad agent is an application that has been developed for a decentralized switched network.

Claim 65 now recites "a network application server hosting plural available telephone application execution scripts for downloading to terminal equipment;". LANDSMAN does not teach telephone application execution scripts and further does not teach plural execution scripts being available for download. Rather, LANDSMAN teaches only a single advertisement script.

LANDSMAN does not teach a first terminal equipment with an inputting apparatus (110) for user selection, for downloading (S6), a telephone application execution script from a list of the plural available telephone application scripts.

LANDSMAN also does not disclose a terminal with a connection state variation detection means for detecting a variation of a telephone connection state of the second terminal equipment. Further, there is no disclosure of detection based on a response message sent from the second terminal equipment to the first terminal equipment, the response message being sent responsive to an initial message from the first terminal equipment to the second terminal equipment.

Also, LANDSMAN does not disclose a connection state control means for controlling the connection state of said first terminal equipment with the second terminal equipment based on

the response message sent from the second terminal equipment to the first terminal equipment.

Accordingly, claim 65 is believed non-obvious.

The other independent claims have been amended, to clarify the nature of the invention.

Thus, claims 1-19 and 21-65, as amended, are pending.

Claims 44-52 had been rejected as indefinite. These claims have been amended to remedy the stated bases for rejection. Withdrawal of the rejection is therefore solicited.

As noted, claims 1-63 were rejected as obvious over LANDSMAN et al. 6,785,659.

The Official Action acknowledges that LANDSMAN does not explicitly teach a connection state variation detection and connection state control.

Indeed, LANDSMAN concerns a system very different from the present invention.

As disclosed in the LANDSMAN Abstract, there is taught a technique for network-distributed advertising in which advertisements are downloaded, from an advertising server to a browser executing at a client computer, in a manner transparent to a user situated at the browser. LANDSMAN teaches that advertisements are subsequently displayed, in response to a click-stream generated by the user to move from one web page to the next.

See that the teaching is specifically that an HTML advertising tag is embedded into a referring web page, and that the tag causes a code (program) download, from a distribution web server, to the user's computer (client browser) and then the downloaded code persistently instantiates an installed agent at the client browser.

This agent transparently downloads advertising files, originating from an ad management system residing on a third-party advertising web server and subsequently plays those files through the browser.

Although not believed to render the claimed invention obvious, the claims have been amended to avoid LANDSMAN.

Consider independent claim 1 first.

Amended claim 1 recites features of the invention that allow an application execution script for a concentrated switched network reside on a network application server. That execution application script may be downloaded from the server by any of plural terminal equipments.

The downloaded application execution script is plugged in by plug-in means in an executable form (suitable for a decentralized switched network) that the application execution script can be executed between different terminal equipments without intervention of any exchange.

Each of the terminal equipments including 1) connection state variation detection means and 2) connection state control

means of a terminal apparatus, these operating in accordance with the plug-in application.

As discussed above, LANDSMAN does not teach or suggest these features. Accordingly, claim 1 is believed non-obvious.

See that claim 2 has been amended to recite the telephone application of the invention, i.e., reciting executing the application execution script selected and downloaded from the network application server to record a telephone connection time between said first and second terminal equipment into said database, the telephone connection time indicating a length of the time the first and second terminal equipment were in a connected state.

Independent claim 3 has also been amended to refer to both a first terminal equipment and a second terminal equipment. The claim recites the network application server including an application storage section for storing plural application execution scripts. As noted, LANDSMAN does not make this disclosure.

Claim 3 also recites that the application execution script downloaded from said network application server is an application execution script for allowing communication between terminal equipments through an exchange in a concentrated switched network. But as used by the terminal equipment of the invention, no exchange is used. LANDSMAN does not make this disclosure or suggests this approach.

Further, claim 3 recites that these plural scripts are available for downloading to the first and second terminal equipment. LANDSMAN does not make this disclosure.

The recitations concerning the "subscriber information storage section" are also believed non-obvious. See the recitation of the first terminal equipment being a subscriber identified in the subscriber information storage section as having a first application execution script downloaded from said network application server, the first application execution script being a network application to establish bi-directional communications between the first and second terminal equipment.

Also see the recitation of "a state variation detection section for supervising an event designated by the first application execution script and issuing, if the event occurs, a notification of the occurrence of the event to said application control section in order to establish the bi-directional communication between the first and second terminal equipment,".

This is also believed to be non-obvious over LANDSMAN.

Still further, see the non-obvious recitations of a call state storage section for storing a call state of said first terminal equipment and for storing a call state of the second terminal equipment when the first terminal equipment is engaging in establishing the bi-directional communication with the second terminal equipment.

Claim 5 now recites "wherein said application control section has, as a function of the application programming interface, a function of detecting an event concerning a change in a communication connection status of said second terminal equipment and issuing a notification of the occurrence of the event to the first application execution script." This feature is not found in LANDSMAN.

Claim 12 now depends from claim 3. Both claims 3 and 12 are believed patentable in their own right.

Claim 12 further recites a database connected to said first terminal equipment; said database being connected to said data transmission/reception section of said first terminal equipment.

Also consider claim 21 "wherein said application control section writes into said database, by executing the first application execution script, a period of time to record a connection time between said first and second terminal equipment into said database, the connection time indicating a length of the time said first and second terminal equipment were in a connected communication state". This feature is not found in LANDSMAN.

Claim 22 has been amended to recite that the connection state variation detection means is for detecting a variation of a connection state of said terminal equipment with another terminal equipment. LANDSMAN is not seen to make this disclosure; in

particular, the connection state control means is for controlling the connection state of said terminal equipment with the another terminal equipment.

Nor does LANDSMAN disclose a plug-in means for plugging in an application execution script downloaded from said network application server, the application execution script being a network application to establish bi-directional communications between said terminal equipment and the another terminal equipment.

Thus, claim 22 is believed patentable.

Claim 23 requires terminal having i) an application control section for executing the application execution script stored in said application storage section; ii) a state variation detection section for supervising an event designated by the application execution script and issuing, if the event occurs, a notification of the occurrence of the event to said application control section in order to establish bi-directional communication between the terminal equipment and another terminal equipment. This combination is not seen in LANDSMAN.

Further, claim 23 requires a call state storage section for storing a call state of said terminal equipment and the another terminal equipment when the terminal equipment is engaged in establishing the communication between with the another terminal equipment. This feature has not been identified in LANDSMAN.

In claim 32, there is recited a terminal equipment with a state variation detection section for supervising an event designated by the application execution script and issuing, if the event occurs, a notification of the occurrence of the event to said application control section in order to establish communications between the terminal equipment and another terminal equipment. Further, the claim requires a call state storage section for storing a call state of said terminal equipment and the another terminal equipment of the communication. Still further, there is recited that the application execution script is a network application to establish bi-directional communications between the terminal equipment and the another terminal equipment.

This combination of features is believed non-obvious over LANDSMAN.

In claim 42 there is recited an execution method.

LANDSMAN is not believed to teach or suggest the recited step of plugging in an application execution script downloaded from said network application server, the application execution script providing for monitoring a time period of communication connection between said terminal equipment and another terminal equipment.

Claim 44 is also a method. LANDSMAN is not believed to teach or suggest the recited second step of setting a first trigger for starting up the network application, downloaded from

said network application server to said terminal equipment, to said terminal equipment, the first trigger being a change in a monitored communication connection status at another terminal equipment that said terminal equipment is seeking to establish communications with.

Further, the combination of the recited second through fourth steps is not seen to be taught or suggested by LANDSMAN; the third step being starting up the network application when the first trigger is fired, and the fourth step being ending the execution of the network application when a particular operation is performed.

Claim 47 recites

"downloading the selected network application from said network application server to said terminal equipment,

"said selected network application providing an automatic call-back function from said terminal equipment to the another terminal equipment upon receiving a notification from the another terminal equipment of the changing a communication state from a busy state to a not-busy state".

There is no disclosure in LANDSMAN of these features.

Claim 53 recites an operation method comprising a third step of plugging in an application execution script downloaded from said network application server, the application execution script providing for monitoring a time period of communication

connection between said terminal equipment and another terminal equipment.

LANDSMAN is not seen to make this teaching.

Claim 55 recites a second step of setting a first trigger for starting up the network application, downloaded to said terminal equipment from said network application server, to said terminal equipment, the first trigger being a change in a monitored communication connection status at another terminal equipment that said terminal equipment is seeking to establish communications with.

LANDSMAN is not seen to make this teaching.

For the above reasons, the pending claims are believed to be non-obvious.

Reconsideration and allowance of all the pending claims are respectfully requested.

Applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

Should an interview be helpful in order to place the case in condition for allowance, it is requested that the undersigned attorney be contacted so that such an interview can be conducted and the case proceed to allowance.

Please charge the fees of \$200 for one extra independent claim and \$50 for one extra claim of any type added herewith to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item:

- amended Abstract of the Disclosure